

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

TIMOTHY BITLER, SR.,	:	
Plaintiff,	:	
	:	
v.	:	No. 5:24-cv-2177
	:	
ROBESON TOWNSHIP,	:	
Defendant.	:	

ORDER

AND NOW, this 25th day of July, 2024, upon consideration of Plaintiffs' motion for a preliminary injunction, ECF No. 7, Defendant's response, ECF No. 10, after a preliminary injunction hearing held on July 15, 2024, and for the reasons discussed in the Opinion issued on this date, **IT IS ORDERED THAT**:

1. Plaintiffs' motion for a preliminary injunction, ECF No. 7, is **GRANTED** as follows:
 - a. Pending final resolution of this matter, Defendant shall suspend enforcement of sections 1.B. and 1.I. of Resolution 24-06; and
 - b. Plaintiff's requirement to post bond is waived.
2. Additionally, after considering Defendant's motion to dismiss for failure to state a claim, ECF No. 14, Plaintiff's response, ECF No. 15, and after accepting all factual allegations as true and construing the Complaint in the light most favorable to Plaintiff,¹ Defendant's Motion, ECF No. 14, is **DENIED**.
3. Defendant shall file an answer to the Complaint within 14 days of the date of this Order.²

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge

¹ See *Phillips v. Cnty. of Allegheny*, 515 F.3d 224, 233 (3d Cir. 2008) (quoting *Pinker v. Roche Holdings Ltd.*, 292 F.3d 361, 374 n.7 (3d Cir. 2002)) (internal quotation marks omitted).

² See Fed. R. Civ. P. 12(a)(4)(A).